

CHARTER

— AND —

BY-LAWS

— OF THE —

PROPERTY HOLDERS

Mutual * Aid * Fire * Indemnity * Society

— OF —

NEW *ORLEANS, *LA.

OFFICE, 56 ST. CHARLES STREET.

1888:

Hopkins' Printing Office, 20 & 22 Commercial Place, N. O.

OFFICERS.

GERHARD BUSING, - - - - - *President.*
JAS. H. DOUGLAS, - - - - - *Vice-President.*
J. H. WORMANN, - - - - - *Treasurer.*
J. H. WENDT, - - - - - *Secretary.*

FINANCE COMMITTEE.

PETER SCHNEIDER, H. POHLMANN, Sr.,
M. GRIFFIN.

INVESTIGATION COMMITTEE.

JNO. COUVE, THOMAS BERGIN,
AUGUST BUESING.

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CHARTER

—OF THE—

Property Holders' Mutual Aid Fire Indemnity Society.

M. J. B.

UNITED STATES OF AMERICA, }
State of Louisiana, }
Parish of Orleans, City of New Orleans. }

BE IT KNOWN, That on this eighteenth day of October, in the year of our Lord one thousand eight hundred and eighty-eight and of the independence of the United States of America the one hundred and thirteenth. Before me, Michael Griffin, a notary public, duly commissioned and qualified in and for the Parish of Orleans, and in the presence of the witness herein-after named and undersigned. Personally came and appeared Messrs. August Buesing, John H. Wormann, Thos. Bergin, Peter Schneider, John Couve, James H. Douglas, Gerhard Busing, H. Pohlmann, Sr., and others, all residents of this parish and State, who mutually and severally declared: That, availing themselves of the right and privileges granted by and contained in the statutes of Louisiana, they form and constitute themselves and their successors, and such persons as may hereafter become associated with them, and their successors, into a body corporate, to which end they make and agree to the following articles of association to govern the same as the said corporation.

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ARTICLE I.

SECTION 1. The name, style and title of this organization shall be the "PROPERTY HOLDERS' MUTUAL AID FIRE INDEMNITY SOCIETY."

SEC. 2. Its domicile shall be the city of New Orleans.

SEC. 3. It shall exist for ninety-nine years, unless its affairs shall be sooner settled and liquidated as hereinafter provided.

SEC. 4. It shall have and use a corporate seal, with such device as its Board of Directors may adopt, the same to break, alter or amend as the said Board may deem proper.

SEC. 5. It shall have power and authority to contract, sue and be sued in its corporate name, and to acquire and possess by any title whatever, real and personal property, and to dispose of same at pleasure.

SEC. 6. The President, or in his absence from the office of the Society, the Secretary, shall be the proper officer upon whom citations and other legal process shall be served.

SEC. 7. The assets of this Society, to cover all losses, damage or indebtedness of any kind whatsoever, shall consist of the cash and notes paid in and deposited by the individual members, in accordance with the provisions of section 5 of article IX, and of any other securities that this society may possess.

SEC. 8. No member of Society shall be held liable or responsible for the acts, conduct, faults or liabilities of this corporation beyond the amounts of the notes and cash given by him as the pledge or security that he will pay the assessments levied against him, as provided in article IX, section 4 of this charter.

ARTICLE II.

SECTION 1. The object of this Mutual Aid Society is to indemnify its members for losses or damages sustain-

ed by fire upon their property situated within the limits of the city of New Orleans, by assessments levied upon its members, in accordance with the provisions of this charter.

SEC. 2. There shall be no limit placed upon its membership. Corporations, through their proper representatives, shall be eligible to membership by conforming to the rules and regulations of the association.

SEC 3 Membership shall be for five years. At the expiration of that period it may be renewed. Should a member resign from the Association he will be entitled to a return of his promissory note, within thirty days after demand, by paying whatever legal dues and assessments have been charged to him up to date of his resignation.

SEC. 4. In case of the death of any member of this Association, all of his rights and privileges as a member shall descend to and exist in his heirs, executors or administrators, and shall continue so to exist until the expiration of the deceased member's term of membership; provided, the said successors conform in every respect to the rules and regulations laid down by the charter and by-laws of this Association. In case of a failure so to conform, the rights and privileges of said membership shall be forfeited, after the representatives of said deceased shall have been put in default, and the notes drawn by the deceased in favor of and deposited with this Society shall be returned to his said representatives, after all legal charges, costs and assessments have been paid and within a delay of thirty days after demand.

SEC 5. Except in the case provided for in the preceding section, none but members of this association can enjoy any of the rights and privileges herein conferred. They are personal and exclusive. No

assignment can be made of any member's rights, title or interest in this Society except to another member, and upon such assignee's assuming all of the obligations attaching to the rights transferred.

SEC. 6. The admission of members shall be governed by special laws to be adopted hereafter. Applications for membership shall be in writing and in accordance with the provisions of this charter and the forms to be prescribed hereafter. They shall be filed at the office of this Society to be acted upon according to the rules and regulations contained in the by-laws.

SEC. 7. In all elections each member of this Society shall be entitled to one vote, without reference to the number of certificates he may have or the amount of property returned by him to the Society.

SEC. 8. Elections shall be advertised by the president and secretary in at least one daily newspaper in this city, three times in ten days previous to the day of said election.

ARTICLE III.

SECTION 1. The corporate powers of this Association shall be vested in a Board of Directors, composed of nine members thereof, of whom (excepting the first board organized under this charter) one-third shall be elected annually on the third Monday in December, and shall take their seats on the first day of January, and whose term of office shall be for three years, and until their successors have been duly elected and taken their seats. Five members of this board shall constitute a quorum for the transaction of all business. The said board shall adopt such by-laws and regulations as to them shall seem advisable and necessary to the success of the organization.

SEC. 2. The first Board of Directors shall be composed of the following-named persons, who shall act

and serve from the time this charter shall go into effect and operation, up to the date hereinafter set forth, as follows:

1. Messrs. August Buesing, John H. Wormann, Michael Griffin, to serve until January 1, 1890.

2. Thos. Bergin, Peter Schneider, John Couve, to serve until January 1, 1891.

3. Jas. H. Douglas, Gerhard Busing, H. Pohlmann, Sr., to serve until January 1, 1892.

SEC. 3. All elections for directors shall be by ballot, at the office of the Society, and those receiving a plurality of the votes cast shall be deemed duly elected. No member shall be allowed to vote for another absent member, except upon a written special power of attorney previously deposited with the association.

SEC. 4. Should any of the directors die, resign or remove from the State, or otherwise become incompetent to perform the duties and functions of his office, the remaining members of the Board shall fill the vacancy by election; provided that five members unite on such choice. If five members do not so agree then such vacancy shall be filled by special election after having been advertised as stated in Art. 2, section 8.

SEC. 5. Should any Director as such, or as an officer of this association, neglect his duties, refuse to attend to the business of the society, or be guilty of such gross misconduct as to imperil the interests of the organization, for a period of two months, he shall be notified of his derelictions, and after a just hearing has been afforded him, if his conduct should not be satisfactorily accounted for or explained, the Board of Directors shall declare his office vacant, and shall proceed to fill such vacancy according to the foregoing provisions

SEC. 6. For all their just and lawful actions the directors shall be defended by this society.

SEC. 7. The directors shall elect annually, beginning as early as possible, after the adoption of this charter, one member from their number to serve as president of the society, one as vice-president, one as treasurer, three as a committee of finance and three as a committee of investigation. They shall appoint a secretary and such clerks and employes as the affairs and necessities of the association may require. They shall fill all vacancies whatever under the restrictions contained in Art., III., Section 4 of this charter.

SEC. 8. They shall fix the compensation of all officers and employes when compensation is allowed. They may require the Treasurer, Secretary, clerks or employes to give bond with good and solvent security conditioned upon the faithful performances of their respective duties, and to protect the society from financial losses through the negligence or faults of such officers and employes.

SEC. 9. The dates of the regular meetings of this society shall be fixed in the by-laws.

ARTICLE IV.

SECTION 1. The President shall preside at all meetings of the Society and of the Board of Directors. He shall have general management and supervision of the affairs of the association. He shall report his acts to the Board of Directors for their approval.

SEC. 2. Applications for membership shall be first submitted to him for his approval. Where the property of the applicant is of a special hazardous character, it shall be referred to the committee of investigation.

SEC. 3. He shall, with the secretary, sign the certificates of membership. He may call special meetings of the Board of Directors and of the society when their affairs require it.

SEC. 4. The vice president shall act as president during the disability or absence of the president.

ARTICLE V.

SECTION 1. The treasurer shall be the custodian of the funds, assets and valuables of the society.

The cash shall be deposited in such bank or banks as the Board of Directors may designate. Other valuables shall be kept in a bank box deposited in one of the same banks.

No funds shall be drawn from bank except upon a check drawn by the treasurer, countersigned by the president and authorized by a resolution of the Board of Directors.

SEC. 2. He shall collect and receipt for all monies and valuables of the association and shall immediately report such collections when made, to the secretary.

SEC. 3. He shall keep an account book, a complete record of all his transactions, which shall at all times be subject to the inspection of the finance committee.

SEC. 4. He shall cause the bank book of the Association to be balanced every month, and shall submit same to the inspection of the Board of Directors once a month and whenever called upon so to do by the said board.

ARTICLE VI.

SECTION 1. The secretary shall superintend the office of the association, attend to its correspondence, be present at all meetings of the Association and of the Board of Directors, and shall keep the minutes of the proceedings.

SEC. 2. He shall prepare the certificates of membership and sign them with the president.

SEC. 3. He shall keep the books of the Association and make a monthly report to the Board of Directors

of the affairs of the Association. His books shall at all times be open to the inspection of the finance committee.

SEC. 4. He shall perform such other duties as may be prescribed by the Board of Directors.

ARTICLE VII.

SECTION 1. The finance committee shall have special supervision over the financial department of the Association, including its funds, assets and valuables. They shall inspect at regular stated intervals any and all books of the Association.

SEC. 2. They shall report to the Board of Directors all informalities and omissions discovered in any of the books of the Association.

SEC. 3. They shall examine all bills and claims presented to the Association and if found correct, approve them.

SEC. 4. They shall report all their acts to the Board of Directors.

ARTICLE VIII,

SECTION 1. The Committee of Investigation shall examine into all applications for membership which may be referred to them by the president, and approve or reject the same.

SEC. 2. They shall investigate the causes of all fires on property belonging to members of this Association, ascertain the loss sustained and report of the result of their investigation to the Board of Directors.

SEC. 3. They shall perform such other duties as may be prescribed by the Board of Directors.

ARTICLE IX.

SECTION 1 Applications for membership must contain a full description of the applicant's property, its nature, character, condition and locality. The appraisement of same shall be made after filing the application.

SEC. 2 Movable property shall be appraised annually. If not reappraised at the expiration of the year, the right to indemnity for losses by fire on such property shall be extinguished. If movables are removed without the consent of the Association, the right to indemnity shall be forfeited.

SEC. 3. In cases of total loss by fire, the amount of the indemnity valuation shall be paid in full, according to the property owner's certificate of membership. Where the loss is partial, the amount to be paid over shall be fixed by the Committee on Investigation, after examination and report.

SEC 4. When the amount of indemnity to be paid over has been ascertained as in the preceeding section there shall be levied an assessment against each member of the association for his proportion of the loss thus ascertained. Such levy shall be based upon the ratio which the amount of each members promissory note and cash paid by him bears to the sum total of all the notes and cash given by all the members to the society, as provided for in section 5 of this article

SEC. 5. In order to secure to the association the prompt payment of assessments levied against the members and to provide means for the payment of running expenses, a certain percentage upon the appraised value of their property shall be charged each member as follows:

Upon immovables for the full period of membership to-wit, five years; upon movables, for one year. Twenty per cent. of the charge thus fixed against immovables shall be paid in cash, and for the balance the member shall give his promissory note to the association, payable upon demand, which note shall not be used except in accordance with the provisions of the charter and by-laws of the Association. The full amount charged against movables shall be deposited in cash.

SEC. 6. If a member should acquire other property than that appraised is his certificate, upon the proper application the newly-acquired property may be appraised and a certificate issued therefor. If he should sell, transfer, donate, convey or assign property included in his certificate, the appraisalment upon proper notice shall be diminished accordingly, or, if necessary, his certificate returned.

SEC. 7. No indemnity shall be paid in full to any member of this Association who is not a bona fide full owner of the property returned by him. If he owns only an interest in the property, such interest should be specifically stated, or the indemnity in case of fire shall be proportionately reduced according to his actual interest

SEC. 8. If any member of this Association has effected an insurance in any other organization on the same property returned by him to this Association, he shall not be indemnified for any losses on such property unless these facts are previously made known to this Association and action taken thereon accordingly.

SEC. 9. The members are in duty bound to make known to the president or Board of Directors all circumstances tending to increase the risk upon their property.

ARTICLE X.

SECTION 1. This Ass'n shall commence operations as soon as the aggregate appraised indemnity value of the property given in by its members and accepted by the Association, shall amount to one hundred and fifty thousand dollars.

ARTICLE XI.

SECTION 1. The members of this society at a general meeting convened for the purpose, after thirty days public notice advertised in one daily city newspaper, may change, alter, amend modify, dissolve or abrogate this act of incorporation, provided the members present represent three-fourths of the aggregate amount of appraised indemnity value of all the property of the members of this society as shown by their certificates of membership, and provided further, the vote taken upon such change, alteration, modification or dissolution, and in favor thereof, shall be by members representing an amount in excess of one-half of the sum total of the appraised value of all members in the association, as shown by their certificate of membership.

SEC. 2. The Board of Directors shall meet at least once a month, and as often as they think proper.

ARTICLE XII.

SECTION 1. The liquidation of the affairs of the corporation shall be made by three commissioners elected by the Board of Directors.

SEC. 2. The Board of Directors shall determine by resolutions the qualifications, rights, powers and duties of said commissioners, their term of office, salaries and the mode in which a vacancy in their number may be filled and limit the period of liquidation.

Thus done and passed in my office in this city, on the day and date above written, in the presence of J. H. Wendt and W. J. Woodruff, competent witnesses, who, with the said appearers and me, Notary, after reading thereof, have affixed their signatures.

Original signed:

G. BUSING,
THOMAS BERGIN,
J. LANGE,
JOHN H. WORMANN,
P. SCHNEIDER,
H. POHLMANN, SR.
JAS. H. DOUGLAS,
A. BUESING,
JOHN COUVE.

Witnesses:

J. H. WENDT,
WM. J. WOODRUFF,

MICHAEL GRIFFIN,
Notary Public.

NEW ORLEANS, Oct. 20, 1888.

The foregoing act of incorporation of the "Property Holders' Mutual Aid Fire Indemnity Society" having been submitted to me for examination as to its legality, I am of opinion that the purposes and objects of the corporation, as specified in said act, are legal, and that none of the provisions therein contained are contrary to law.

JOHN J. FINNEY,
Assistant District Attorney for the parish of Orleans.

I, the undersigned, Recorder of Mortgages, in and for the parish of Orleans, State of Louisiana, do hereby certify the above and foregoing act of incorporation of the "Property Holders' Mutual Aid Fire Indemnity Society," and the certificate of the Assistant District Attorney, were this day recorded in my office in book 363, follo 572.

New Orleans, October 24, 1888.

V. J. JOUBERT, Dept. Rec.

I, the undersigned, notary public in and for the parish of Orleans, do hereby certify the foregoing is a true and correct copy of the original act of incorporation of the "Property Holders' Mutual Aid Fire Indemnity Society," as also the certificate of the Assistant District Attorney and Recorder of Mortgages for the parish of Orleans thereto attached, on file and of record in my notarial records.

Witness my official seal and signature this twenty-sixth of October, A. D. 1888.

MICHAEL GRIFFIN, Notary Public



BY-LAWS.

At a meeting of the Board of Directors of the PROPERTY HOLDERS MUTUAL AID FIRE INDEMNITY SOCIETY, held on the sixth day of November. 1888, the following By-Laws were unanimously adopted:

ARTICLE I.

The amount to be indemnified on one house, kitchen or other property on the same lot may be included in one certificate; but there shall not be included in such certificate as subject to indemnity a greater number of buildings than are erected on any ordinary single lot.

ARTICLE II.

No cabinet-makers', coopers', joiners', or carpenters' shops or wagon factory, sugar house, brew house, bake house, pork or smoke house, still houses, paper mills, malt houses, oil factories or other houses or shops, wherein any of the following *hazardous* trades are carried on, to-wit: apothecaries, chemists, tallow chandlers, inn houses, stable keepers, or any house where any of the following goods are stored, to-wit: hemp, flax, tallow, pitch, tar, turpentine, grain unthrashed, hay, straw, fodder, lard oil, coal oil, or other oil for burning or lighting purposes, or other articles in like degree hazardous, shall be subject to indemnity by this Association, unless by special agreement between the parties. And no indemnity right in such cases shall be binding, unless it be remarked in the certificate and in the application thereto belonging, and a proportionate assessment rate shall be agreed upon with the Association.

ARTICLE III.

Each member of this Society shall, one month after the expiration of his membership have his security note returned to him, provided that all of the assessments and charges due upon same up to time of the expiration of his membership shall have been paid.

ARTICLE IV.

It shall be the duty of the Secretary to notify each member of the expiration of his term of membership at least ten days before such expiration. But in all cases the rights of indemnity attached to such membership shall cease at the time fixed in the certificate of membership.

ARTICLE V.

Every member of this Society shall receive certificates of membership and indemnity, but only after the payment of the cash provided for in the Charter and the delivery of his security notes. The right to indemnity shall be forfeited, if any member has failed to pay the assessments levied against him.

ARTICLE VI.

In case alterations or improvements are to be made upon buildings subject to indemnity by this Society, notice thereof must be given to the Society by the owner or his agent and a permit granted to make the proposed alterations or improvements, otherwise the right to indemnity shall be lost and forfeited.

ARTICLE VII.

Should any building or property subject to indemnity by this Society, be torn down, removed or sold, then the owner shall have the privilege to transfer his in-

terest or any part thereof, on another building or property owned by him, upon his conforming to the rules and regulations.

ARTICLE VIII.

In case of the assignment of indemnity rights for the security of a mortgage debt, the holder of the mortgage claim shall jointly with the owner of the property be responsible for the payment of all assessments made thereafter against the said owner on the policy transferred.

ARTICLE IX.

No transfer of indemnity certificates shall be binding upon the Society, until the same has been approved by the president.

ARTICLE X.

Should it be found, at any time, that the appraised value of property on indemnity certificates is fixed at more than its actual value, the Society shall have the right to amend or cancel the appraisalment.

ARTICLE XI.

The storing of gunpowder, nitro gas, coal oil, camphene, burning fluid, benzine, turpentine, varnishes and other combustible oils or spirits, phosphorus and saltpeter; pitch, tar and rosin in large quantities; lard oil, lard, tallow, fat and pork in quantities of more than five barrels or its equivalent; cotton in bales or raw; hay, straw, oakum and all articles containing combustible fibres; in buildings subject to indemnity, is considered unlawful and shall render the policy void, except where a special agreement between the owner and the Society is made and the same has been indorsed upon the certificate of indemnity.

ARTICLE XII.

Each member of this Society is bound and obliged to pay his respective part of all losses or damages within thirty days after the amount of such losses or damages shall have been determined by the Board of Directors, and after due notice thereof shall be given by the Secretary.

ARTICLE XIII.

In case any member shall fail to pay his part of the losses or damages assessed as aforesaid, the claim of the Association against him therefor, shall be placed for collection in the hands of an attorney of law, and the member in default shall be charged and shall be bound to pay in addition to the amount due by him to the Association, the fee of said attorney, which shall be an ordinarily reasonable amount, together with all the costs of suit.

ARTICLE XIV.

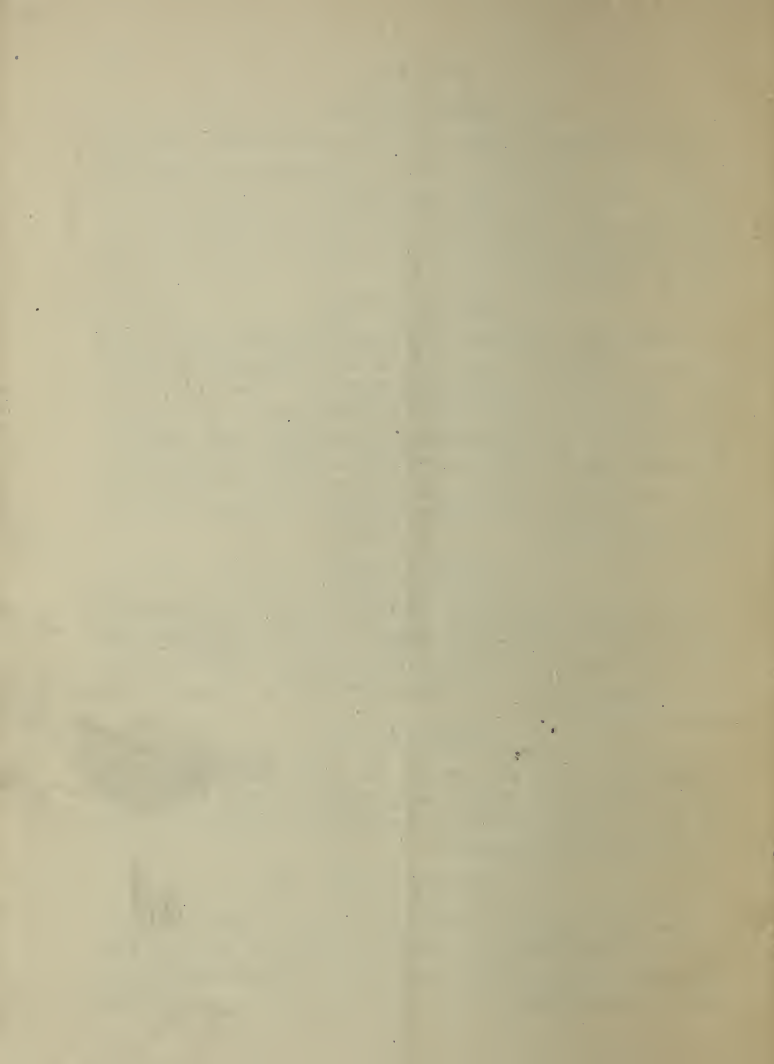
The Directors shall have the authority to allow awards and premiums to such persons or fire companies that in case of danger, have proved beneficial to the Society in extinguishing the fire, preventing damages or saving property.

ARTICLE XV.

Should a member resign he will be entitled to a return of security notes as provided for in Article II, Section 3 of the Charter, but the cash payment made by him shall be forfeited.

ARTICLE XVI.

The fixed regular meeting of this Society shall be on the third Monday of December of each year. Special meetings may be called by the President or Board of Directors.







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Gerhard Busing,
 Jas. H. Douglas,
 Jno. H. Wormann,
 H. Pohlmann, Sr.,
 Thos. Bergin,
 Jno. Couve,
 Michael Griffin,
 Aug. Buesing,
 Peter Schneider,
 J. H. Wendt,
 G. H. Stierle,
 Geo. Grunewald,
 Jno. Laskey,
 Jno. J. Ehrhardt,
 Thos. Froeba,
 Henry Munstermann,
 N. Stumpf.
 M. Doll,
 Hy. Schulte,
 H. Pohlmann, Jr.,
 O. H. Rohe,
 M. Halbritter,
 H. C. Lind,
 H. Bremmermann,
 Jno. Cassidy,
 Hoth. Schemel & Stumpf,
 Peter Durst,
 Mrs. Anna M. Drysdale,
 Jno. Lange,
 H. L. Frantz,
 Fred. Robbert,
 Nich. Burg,
 E. Hollinger,
 Hy. Liere,
 B. M. Pohlmann,
 Geo. Westerhaus,
 Jno. Ueber,
 Jos. Fetter,
 Jno. F. Kelley,
 D. Imwalde,
 Peter Funck,
 Est. Mrs. J. G. Koepke,

Ernest Dittmar,
 Gustav Mathis,
 Jacob Schwander,
 Mrs. Aug. Noel,
 Peter Schwager,
 J. H. Rolfs,
 Adam Gambel,
 E. D. Keyl,
 Mrs. C. Hennig,
 Emile Datow,
 Mrs. J. Oppenheimer,
 Mrs. Cath. Herrlitz,
 Jacob Arnold,
 Jacob Emmer,
 Mrs. M. Oltmann,
 Chas. Mazoletti,
 Francis DeVries, Jr.,
 Mrs. Wm. Burger,
 Peter Fink,
 Jno. Wilhelm,
 Jno. H. Timpkin,
 Mrs. B. Letten,
 Wm. Eaton,
 Jacob Kaufman,
 Aug. Thiergart,
 Mrs. Annie T. L. Thomas, M.I.
 Mary Englebrecht,
 Gustave Seeger,
 C. W. Wiegand,
 Society Natchez Tribe No. 1
 Wm. Losch, Red Me
 Mrs. M. L. Helmke.
 Wm. Duker,
 L. A. Marmion,
 Geo. H. Meyer,
 Wm. M. Ueber,
 Joseph Lorenz,
 Jno. Scheuermann,
 C. Rahders,
 Fred Raecker,
 Mrs. N. Goetz.